IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 23590 of 2002

Between:

Vemagiri Thota Settibaliji Seva Sahakara Sangham, Regd .No.1059, rep by its President, Vemagiri Village, Kadiyam Mandal, E.G.Dist.

..... PETITIONER

AND

1 The Chief Commissioner of LA., AP.,
Nampally, Hyd.
2 The Dist Collector,
Kakinada, E.G.Dist.
3 The Joint Collector,
Kakinada, E.G.Dist.
4 The Sub- Collector,
Rajahmundry, E.G.Dist.
5 The Mandal Revenue Officer,
Kadiyam Mandal, E.G.Dist.
6 The SC educ UnEmpployees Welfare Society, Rep by its President,
Vemagiri, Kadiyam Mandal, E.G.Dist.
7 Smt Gollapalli Rajeswari, W/o Raja Babu,
Vemagiri, Kadiyam Mandal, E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly one in the nature of writ of mandamus declaring the action of proceedings of the R3 E1/4002/2001 dt 12-9-02 is illegal, arbitrary unconstitutional without jurisdiction violative of principles of natural justice & contrary to the GOMs. No.970 Revenue (Q)Deprt., dt 25-8-76 GOMs. 485 revenue (Q) Dept., dt 30-4-77 & memo No.2003/Q1/77-2 Revenue dt 24-6-77 & also & consequently direct the respondent authority not to dispossess the members of the petitioners society from the land extent of Ac.240-40 cents covered by the old s.no.488 Lanka No.99 & 1233 (new S.No.502 to 522) of Vemagiri Village, Kadiyam mandal E.G.Dist pending disposal of the revision petition before the R1.

Counsel for the Petitioner: MR.G.KRISHNA MURTHY

Counsel for the Respondent Nos. 1 to 5: GP FOR ASSIGNMENT

Counsel for the Respondent Nos. 6 & 7: --N.A.--

The Court made the following:

Oral order:-

This writ petition is filed seeking a direction to the respondents authorities not to dispossess the members of the petitioner-society from the land in an extent of Ac. 240-40 cents covered by old survey No. 488, Lanka No.99 and 1233 (new S.No. 502 to 522) of Vemagiri village, Kadiyam mandal, East Godavari district pending disposal of the revision petition before the 1st respondent by declaring the proceedings of the 3rd respondent dated 12-09-2002 as illegal and contrary to G.O.Ms.No. 970 Revenue (Q) Department dated 25-08-1976, G.O.Ms.No. 485 Revenue (Q) Department dated 30-04-1977 and Memo No. 2003/A1/77-2 Revenue dated 24-06-1877 and also provisions of the Board Standing Orders.

On 26-12-2002, this Court passed interim orders directing the respondents not to dispossess the members of the petitioner's society from the lands in question in pursuance of the proceedings of the 3rd respondent dated 12-09-2002.

Learned counsel for the petitioner submits that the revision petition filed by the petitioner is still pending before the 1st respondent.

In the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition directing the 1st respondent to dispose of the revision petition after giving opportunity to the petitioner-society and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. Till such time, the interim orders granted by this court on 26-12-2002 shall continue.

The writ petition is disposed of accordingly. No costs.

ELIPE DHARMA RAO, J

Dt. 14-07-2005

Pvks/*

To

1 The Chief Commissioner of LA., AP.,
Nampally, Hyd.
2 The Dist Collector,
Kakinada, E.G.Dist.
3 The Joint Collector,
Kakinada, E.G.Dist.
4 The Sub- Collector,
Rajahmundry, E.G.Dist.
5 The Mandal Revenue Officer,
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7 Smt Gollapalli Rajeswari, W/o Raja Babu,
Vemagiri, Kadiyam Mandal, E.G.Dist.

8. 2 CCs., to the learned Government Pleader for Assignment, A.P. High Court Buildings, Hyderabad (OUT)

9. 2 CD copies

10. 1 CC to MR.KRISHNA MURTHY

*Form-NIC-OGS/WP{**VEENA**}*